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The idea of a "born criminal" or a class of criminals is erroneous. Some citizens maintain this attitude and therefore lack community concern or involvement, thereby reducing the number of resources and cooperating community units that a probation officer can draw on. Another problem with resources is that, even where they do exist, they are often ineffective in helping the very people they have been set up to serve; in spite of their basic intentions, they do not know enough. Probation officers fail, too, because of ignorance of cultural determinants of behavior. The ratio of female crimes to male crimes is approximately 1 to 8, however, many female crimes go undetected. Because of the small number of recognized offenders there are very few adequate facilities for female offenders. Women are raised with the outlook of finding success in material accomplishments. A woman should not be aggressive but should be attractive. The community treats female offenders very severely for deviations from the social norm. Counseling these women probationers requires a recognition of these facts. Men have special difficulties in counseling these women and understanding their seemingly seductive actions. A woman probationer should be treated with a respect and dignity that recognizes her inherent value as a human being, often before she can accept it herself. Juvenile delinquents should generally be assigned to male probation officers to establish the paternal authority that most have never known.							
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SPECIAL PROBLEMS PRESENTED BY SPECIAL CATEGORIES OF OFFENDERS

MINORITY GROUPS - FEMALES - LOW-INCOME GROUPS

By Miss Gloria Cunningham
U.S. Probation Officer
United States District Court

Prepared for Presentation at a
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I have been asked to talk to you today on the topic of Special Problems presented by Special Categories of Offenders. Minority Groups - Females - LOW-INCOME GROUPS.

I don't know what your reaction may have been in hearing this title, but I can tell you that mine was one of utter panic which grew in intensity as I surveyed some of the literature available ranging all the way from Gunnar Myrdal's An American Dilemma to the Feminine Mystic. It's my own conservative estimate that there are perhaps 20,000 books and articles covering these various categories. So my dilemma is to provide you with information that would be concise, meaningful and practical in your work - something which you have not heard many times before, hopefully, and all of this in forty-five minutes. Fortunately, Dr. Richards left me with one or two outs, indicating that I could focus on one special category of offenders and, secondly by phrasing the title in such a way as to refer only to the problems involved without making any particular references to solutions. So bearing this in mind, let me summarize some of the points I would like to cover.

There are, of course, special problems which are involved in working with each of these categories of offenders, which should be viewed separately to do them justice; however, there are some common problems associated with all of them and I would like to

mention just a few. In all honesty these may not be truly major problems, and I may be airing some of my own particular complaints. The first of these may be termed the alienation of these people from the total community; the rejection on the part of the "respectable" portion of our society of these offenders, not only because they are offenders, but because they are Negro or Puerto-Rican or economically deprived. Secondly, and related to the first, is the lack of sufficient resources to help us in our task of probation supervision and rehabilitation. Third, and perhaps the only one we can do anything about is our own lack of sufficient knowledge and preparation in understanding these special categories of offenders. From here I would like to focus on a special problem of the female offender. This is an area of special concern for me and one which is most directly related to my own experience. Also, unlike the other categories, there has been relatively little written or much thought given to the woman offender and her problems.

In referring to the separation of these offenders from the total community, some of you may have thought that this is perhaps true, but is it necessarily a problem about which we must concern ourselves. It is a problem because you must enlist the aid of the total community in helping our clients become law-abiding. We as probation officers have the responsibility of trying to interpret the accepted norms and standards of behavior of the community at large. We cannot do this too effectively without the community's support. We must rely on the community in many more tangible ways,

resources, and social welfare services. We often find ourselves in a position of convincing local resources that they should open the doors of their recreational and vocational facilities to our frequently unattractive client group. Those of you who have been in the field for some years are aware of the tremendous public relation task this implies and the disappointing lack of success these efforts often involve. Further, this is a serious problem not only because it implies a lack of understanding on the part of society. I think it is something much deeper, - an almost deliberate conscious rejection of our misfits, an attempt to increasingly alienate them from the mainstream of American life. As the process of excluding the racial minorities and economically-deprived continues, in some respects becomes more intense, our goal of socializing the offender, especially the youthful offender, becomes almost ludicrous. This denial of a segment of the population on the part of the total community leads to some weird flights of logic, suggestive of some sort of mass neurosis, certainly apparent in the case of law violators. Very many respectable law-abiding citizens seem to share a belief that only a certain kind of person becomes a criminal, and that an act is a crime because of who performs the act and not because of what is done. This is a rather comfortable theory after all because then the consciences of the respectable citizens won't bother them too much if they cheat on their income tax, steal paper clips, or mechanical tools or expense account money from their employers, or bribe a police officer. This is not as wrong somehow as if an unemployed Negro or Puerto-Rican, or relief recipient steals

a check - because these are respectable citizens and not of that special breed of "born criminals". I experienced a perfect example of this while talking to a neighbor who wondered how I could work with criminals. While she wondered at my temerity, she was leaning on a super-market basket which she had stolen from a chain store to use as a laundry basket. The chain store in this particular shopping plaza loses several thousand dollars in baskets each month; some through vandalism, but most of them to nice, ordinary suburban housewives who compete with one another in finding all sorts of new creative uses for them. The respectable citizen by remaining uninformed and uninvolved with the problems of certain types of Americans can protect themselves from any sense of responsibility to do anything about the problems, or any sense of responsibilities for helping to contribute to the moral decay of his own community.

It is amazing and somewhat incongruous that this average citizen is so successful in preserving his ivory-tower outlook in the midst of an avalanche of printed, filmed, televised material on the very people he wants to deny; material which is screaming for if not tolerance and understanding - at least an awareness of the millions of forgotten Americans in our midst. The Civil Rights Issue comes immediately to mind, but another good example is the recent intensive production of books and campaign literature concerning low-income groups. Nevertheless, the Horatio-Algier dream pervades our thinking as does the idea that no one has to remain poor if he doesn't want to. This is one myth which the recent spate of literature on the subject has attempted to explode. emphasizing that

upward social mobility is becoming more difficult, if not impossible for certain groups of Americans, that factors totally out of their control have doomed them and their children for generations afterwards to follow the endless pattern of poverty unless something is done - and, as we mentioned before, that the poor are becoming more and more isolated from the life of most other Americans.

I would like to make one more comment before leaving this point of lack of community concern and involvement and that is, that it is also an incongruous situation in the light of one of our most recognized national characteristics, our philanthropic bent, our unsurpassed generosity in helping unfortunates all around the globe. But I wonder if this too may not be only one further indication of our true wish to separate ourselves from the real issues by substituting public giving and massive community campaigns for personal involvement.

One implication of this attitude, if it does indeed exist, is that relating to my second point, the immediate everyday problem we face as probation officers in working with special offenders, that of not having sufficient or realistic resources to carry out our plan of rehabilitation. We will never have them without community support and understanding. It is a particularly frustrating aspect of our job to have the professional skills and know-how to pinpoint the problem and to recognize an appropriate course of supervision only to realize that the resources to carry out this plan do not exist. Many of you have undoubtedly had the experience of a boy under supervision with sufficient motivation

and capability to succeed on a job or vocational training only to find that the job does not exist, nor does the opportunity to prove his capability in motivation. If I may cite an example from my own experience: I was requested to prepare a pre-sentence report on a 20 year old offender and in the process of the investigation, read the old juvenile court record. This boy had been referred for an act of violence to the Juvenile Court several years before, an act against one of the school officials with a deadly weapon. This was when he was only eleven. He was examined then by the court psychiatrist who found him extremely disturbed and said that residential treatment care, or at least outpatient psychiatric care was essential and that the boy should be removed from his own home. The probation officer did a heroic job in attempting a referral to almost every conceivable resource in the city. The boy was usually rejected for treatment because of waiting lists and closed intake, but he was also rejected for the following reasons: Because he was Negro. Because his mother would not cooperate by keeping appointments - Because he was too young Because he was too old. He was eventually sent to the over-crowded under-staffed State Training School for Boys and released just a few months later to his own home. From this point on, until our Probation Officer became active with the case nine years later, his pattern of deteriorating behavior was exactly as the psychiatrist and the probation officer had predicted several years before.

Still another problem with resources is that even where they do exist, they are often ineffective in helping the very people they have been set up to serve. because in spite of their best intentions

they don't know enough about these people. One aspect of our society's planned ignorance is their refusal to acknowledge the fact that certain minority groups, certain of the poor, have well-established cultural values, standards and mores of their own which are different from ours, and that sometimes they get into difficulty because their own values are not just different but conflict with those of the dominant group. For example, social agencies expect people who have never lived by a clock to keep regular appointments at certain hours. We expect them to succeed on jobs which offend their dignity, such as the problems encountered in placing Puerto-Rican boys in garment industry jobs, woman's work. We expect them to succeed in school dropout programs without understanding the reason for their past failures so that they become dropouts from the dropouts. We become exasperated with the Southern White in-migrant who works on a job just long enough to buy a car to drive back to Tennessee, without recognizing the likely pattern of his family's history, one of seasonal work with no guarantee of future reward, the only certain thing is the paycheck in their hand. It is impossible to set any long-term goals with people who know from experience that you must enjoy what you have now, because bad luck is coming tomorrow. I am not suggesting that we change our own values and standards to accomodate those of the minority groups, but in order to have any effect at all, we must first understand the degree to which different value systems may be compatible and at the point at which they differ. Otherwise, we shall almost

inevitably be spending vast sums of money and wasting precious man hours of professional time on programs of no value.

I intend to say more about the female offender later, but as long as we are on the subject of resources, I'd like to mention now that this is really a critical problem as far as the woman offender is concerned, especially the woman parolee. Of course, it's very much a question of finances. Women make up such a small proportion of the offender group it is not often economically feasible to establish some of the various specialized facilities that exist for men. A good example is the Half-Way House program providing a transitional period between the prison and the community. As far as I know this type of program is almost nonexistent as far as women are concerned and truly there isn't a group that needs it more. It is a pathetic experience to watch so many of these women who have no families, who are virtually isolated, come "home" from prison. It is a terrific adjustment for these dependent women to suddenly hit the streets after several years of a highly regimented life in an institution where most of their major decisions are made for them. Suddenly they find themselves faced with the overwhelming problems of finding a job, place to live, new associates and all of this within a short period of time. They are expected to make all of these adjustments quickly when they may not as yet have become accustomed to crossing the street in busy traffic.

This all relates directly to my third and most important point: Our own failure at times as probation officers to do the best job of supervision our own rejection of minority groups of

offenders; our own ignorance of cultural determinants of behavior. We are, after all, products of our own culture and sometimes without always realizing it we share the same rejecting isolationist views of our peers as to what can be done. What is even worse, is that we often tend to rationalize our rejection on the basis of supposedly superior knowledge and experience. We make spurious, psuedo-sociological generalizations and form stereotypes about certain minority groups and use these to explain away our lack of activity on a case or our failure in supervision. What happens in effect is that in spite of our greater understanding and dedication, we too often expect our probationers to live according to standards they don't understand or that may even be in opposition to their own cultural values. Because of the pressures of high caseloads and other factors, we fail in not taking the time to get to know our probationers in terms of his own frame of reference, rather than ours. We know a great deal about human behavior, theories or crime causation, and something about the techniques of rehabilitation through probation, but we don't know much about the various cultural backgrounds of minority group offenders and how they differ from our own. We may see and be aware of the effects of these differences but we don't know why the differences exist. We, as a group of professionals, it seems must sold on the idea that knowledge of cultural determinants may be able to tell us something as to why this particular offender has committed this particular offense at this time. We are even less sold on the possibility that this knowledge may tell us something as to why our usual techniques

of probation supervision are not too effective. The tragedy of this is that there is no real lack of information about this, the lack is in acknowledging our responsibility to increase our knowledge through professional training and expanded In-Service operations, staff discussions, and of course, private reading. But it is my feeling that our responsibility does not end here. We must carry it a step further. Because we work so intimately with our probationers we are perhaps in one of the best positions to provide further information for the cultural anthropologist, sociologist and the criminologist as to our thinking with regard to minority groups and their relation to crime statistics and their response to supervision. This may sound unrealistic but I do believe that individual officers and probation staffs have the responsibility of encouraging research and professional writing on just these topics. By all means, we need more institutes for just this type.

Now I would like to turn my attention to the problem of the woman offender, by first making a few brief statements about the major extent of female crimes, something about the psychology of women and how it is related to female crime and supervision, with more attention to the problems of the supervision of the woman offender especially when she must be supervised by a male probation officer. It is still the case, as it has always been, that more men than women are convicted of crime, with the present ratio of about 8 to 1. At the present time women tend to become involved in economically based crime such as, check cashing and forgery, crimes of the more passive nature and are connected

offenses such as prostitution. As you know, many authorities agree with Dr. Otto Pollack that the actual conviction rate does not reflect the true extent of female crime.¹ Dr. Pollak describes the undetected female offenses as "masked criminality". It is his impression that if all crimes committed by women could be detected, the ratio would be much closer to a one-to-one figure. I question this myself and would take issue with many of the points Dr. Pollak uses to arrive at these conclusions. Statistics do seem to show, however, that crime among women is increasing, either actually or statistically, that is, such difficulty to determine whether or not there are more women becoming involved in crime, or if the courts and police are becoming more objective in booking and convicting women. Another change in the pattern appears to be that women are becoming involved in crimes of the more violent nature, crimes which are usually considered untypical of women. But at the present time the passive-economically based pattern still persists.

The reasons for particular choice of crime can be understood if one takes into consideration what we know about "feminine psychology". This is a rather elusive thing to be subjected to research analysis. However, Miss Bertha Payak in a recent paper reviewed some of the research study that had been conducted and has discussed certain factors which she felt were typical of women in general, and significant in terms of understanding the female offender.²

Miss Payak concludes on the basis of statistics, concerning

1. Pollak, Otto, The Criminality of Women, New York: A.S. Barnes and Co., Inc., 1950.

the incidents and types of offenses, research and observation of authorities in the correctional field that the women offender can be understood in the context of her social role as determined by her constitutional differences, and her psychological differences. She points out that a woman in spite of her alleged emancipation is groomed from childhood for her role as a housewife and mother, which implies dependence upon her husband. She is taught that it is important to be sexually attractive so that she can be chosen by the male for these roles in our male dominated society. Further, while a boy is taught that it is acceptable and desirable to be aggressive in his relationships, the female must assume a less overt role that in order to achieve her ends she must operate more subtly and less directly. Since a woman's goal is said to be one of a happy and successful marriage, her status, security and acceptability of her self-image as a woman depends on the establishment of a satisfactory relationship with the opposite sex, and any women's driving motivation tends to be emotional. Her principle satisfactions are measured by the non-material values of love, affection and service to the family. Another aspect of this grooming is the woman's behavior and her expected responses are more prescribed by society and more subject to public censor. Therefore, women who are prostitutes, who are neglectful of their children, who become involved in crime do violence to society's concept of a woman. Any defiance of their special responsibility is considered not only unconventional but "bad". While the general public, employers, and families of offenders may show some understanding and acceptance

of the male in difficulty, this is usually not true in the case of the anti-social woman.

Some of you may disagree with this, but a double standard does exist and unfortunately this is shared by some people in the correctional field who are punitive toward woman offenders. If I may comment on this point it has been my feeling for some time that although there may be some validity to the argument that the police and courts are too lenient with women offenders when they first come to their attention, once a woman has been convicted or sentenced, or can be labeled an ex-con, their attitudes change and reflect society's attitude toward them. We become so angered, so shocked by the unconventional woman who steps out of her traditional role that we withdraw assistance towards rehabilitation. And, if I may add, I feel that women are probably more vindictive toward female offenders than are men. It is as if we resent the fact that an immoral woman has had all the fun and we wish to make sure that she must accept all the consequences of her behavior.

Miss Payak goes on to cite some characteristics of female offenders based on research and observation of correctional personnel. The first of these is poor self-concept, reflecting the female offender's heightened sense of guilt, her hopelessness, her unhappiness and her loneliness. A second factor is that of dependency, an attribute fostered in all women by custom, cultural training and biological differences which seem to become more marked in the offender group. A third characteristic is emotional

aggressively to any emotional stimulus and can be strongly influenced by her personal relationships. A fourth is that of biologically-based behavior referring to the additional pressures which can be created by menstruation, pregnancy and menopause. The effects of these biological changes in unstable women are frequently underestimated.

It is important to keep these factors in mind in supervising the woman offender, especially in those instances when it is necessary for a male probation officer to supervise. This is very often the case in the Federal System. We have approximately 525 officers, with perhaps no more than a dozen women probation officers. Many of the following observations regarding supervision of the female offender are the result of conversations with some of the Federal Probation Officers coming to Chicago, to attend the periodic week-long In-Service Training Sessions at the Federal Training Center in Chicago. Some of these men recognized that there were special problems existing in the supervision of their women offenders, and they seemed to share a feeling of frustration over their inability to adequately understand or help the woman in trouble. One result of this frustration was occasionally a tendency to neglect or offer minimal supervision to the women probationers and parolees, thus avoiding the problem in-so-far as possible. On the basis of these conversations I had two general reactions, one that the men tended to complicate the admittedly difficult problems involved, partly because of their own lack of understanding of this group of violators and also because of their own subjective attitude

toward women in general and women criminals in particular. A second impression was the fact that in many instances because of the background of the women under supervision the male officers were able to do much more in terms of changing the anti-social attitudes of these women than a woman officer would be able to do.

Two of the most common difficulties cited by the supervising officers were the seductiveness of a woman client and also their dependency. Both of these problems can be better understood and dealt with in the light of some of the comments just made concerning the psychology of women in the social role, for which she is prepared. As we have just pointed out the woman is more dependent, she is more likely to come in more frequently, to call regularly, to keep you advised of what she is doing and to ask your advice about apparently inconsequential matters. In some cases she continues to keep in contact with you even after her supervision has been terminated. She may bring to the interview situation problems which the probation officer may consider to be inappropriate to the status as a probationer, such as problems of child-bearing. This is especially true of the probation officer that may have somewhat rigid interpretation of his role. There is, of course, far from complete agreement just what this role should be. Is the probation officer also a marriage counselor, a child welfare worker, a spiritual adviser, or is his responsibility that of being concerned only with those things directly related to the conditions of supervision and the abidance of the law? It is unrealistic to assume that the probation officer can be "expert" in all of these

areas. However, it is unrealistic too to compartmentalize the individual then to say, "This thing you talk about with your minister; this part of your life is the concern only of your doctor or social worker". Although we cannot fill all of these roles, when the person brings these problems to the interview, we cannot merely ignore them either. They have the responsibility of dealing with them in some way, not as doctors, ministers or counsellors, but as probation officers. When a woman or any client brings these problems to you she must feel in some way that this has a bearing on her adjustment and that perhaps you can be of some help. For most women her home and her family are her life. If she feels that she is failing in this area, she may feel that she is failing as a woman. Sometime the only help you can give is just to listen and sometimes this can be enough. Sometimes you can refer her to the appropriate agency. More often you can help her to find solutions to her own problems by helping her to examine them in a better prospective. Once again may I emphasize that for a woman this household routine, her children, her husband are the sum and substance of her life and you may be the only sane, stable, authoritative person she can turn to for help.

The dependency of the woman client may often be interpreted in a seduction which appears to be one of the most frequently expressed concerns on the part of male officers supervising women. In considering this it is once again necessary to refer back to what we have already said about a woman's role and the fact that we are reared with the idea that to get anywhere at all in this world we must be appealing and sexually attractive to men. To varying degrees

most women relate to men on this level. Therefore, from the point of view of society a certain amount of this behavior is "normal" and even desirable to. Also it is easy to misinterpret manipulation as seductiveness, another aspect of a woman's personality related to her nurturing. She is taught that it is not correct for her to be aggressive, that she be dependent upon others in obtaining the material gains in life, and that these can be had only through indirection. This is difficult to deal because of its subtlety and it is important to recognize such manipulation when it occurs. It becomes more difficult in working with the female relatives of your male probationers, since without realizing it, you may find yourself aligned, at least in the eyes of the probationer, with a domineering mother or a nagging wife.

It is not my intention to imply that this problem of seductiveness does not exist. Many if not most of our women offenders have been sexually promiscuous and many of them prostitutes. There is little likelihood that their intentions are totally innocent. But it is one of the more unfortunate aspects of our present "system" in dealing with such women, that it tends to reinforce both problems which have caused the difficulty in the first place. Some law-enforcement officials offer subtle encouragement to such behavior by their bemused tolerance of it. More often we become hypocritically shocked at the woman's promiscuity to the extent that other more significant factors become lost in the aura of our moral self-righteousness. The promiscuous women, especially when she comes in contact with law enforcement officials...

treated in a condescending patronizing manner, as if she were a naughty child. She is lectured to as a bad girl by police, judges and officials. I have seen situations where a woman has her entire personal life "explored" and "aired" in open court and she draws a severe penalty not because she has been shoplifting, but because she may have an illegitimate child or be living in common law.

It is my feeling therefore that perhaps the most important point to keep in mind in working with the woman offender is that if you do not want her to act like a prostitute do not treat her as one. It is important to treat a woman probationer with respect as you would any other woman. To treat her with respect and dignity, recognizing her inherent value as a human being, may be the most important single thing a probation officer can do during the period of probation supervision. As we pointed out a woman is more likely to have strong feelings of guilt, and shame and a very abused concept of herself as a woman. The patronizing attitude on the part of law-enforcement officials, the condemnation by her family and the community only serve to heighten this attitude and to convince her that she is, after all, no earthly good. In supervising this woman you may have the opportunity to provide her with the first constructive experience she has ever had with a man representing polite society. Also it is important to keep in mind that although seductiveness is difficult to deal with much of this is testing. If we review some of the presentence material and social history information on these women, we can see that time and again they have maintained disturbed relationships with all of the really important

men in their lives. The value of such women, as far as they are concerned, was often only as sexual objects. It is not easy for such a woman to accept the fact that you do not have the same interest in her just by your telling her it isn't so.

It is my feeling generally that it is advisable to have male offenders supervised by male probation officers, and women by women probation officers. However, this is often impossible or just impractical and time consuming. While this may operate effectively as a general rule I do object to the routine assignment of cases solely on the basis of sex. As indicated above there may be many instances in which a male officer may more effectively supervise a woman and the reverse is probably true. There are many instances such as cases involving other family members, those involving marital problems, or very immature, emotionally deprived clients when a woman officer can supervise more effectively, regardless of the client's sex. There may be some different considerations to keep in mind in the assignment of the male probationer to a woman officer and especially from the point of view of the offender there are perhaps more negatives involved. Such an assignment can often blow to the ego of the male probationer, having to report to a woman officer.

In those probation offices which do not routinely refer cases on a sex basis, the practice is often to have women probation officers work with the juvenile, or youthful offender. It is my feeling that this, more than any other group, would be the one not to assign to a woman. Very often one of the greatest factors in the

delinquency for crime, on the part of these youthful offenders, is their own difficulty in achieving some idea of what it is to be a man, a father, the head of a household. Frequently the problem is one of overcoming the detrimental effects of a dominant or maternal parent. These boys would have a greater chance of resolving some of these difficulties with a male probation officer, although even in this area some exceptions may occur. On the basis of my own experience the only other group which has presented consistent difficulties in supervision have been those offenders from a Latin background, such as, the Puerto-Rican. The American Indian might also be included in this category. It appears to do real violence to their concept of a woman's role to find her in this position, that of supervising an "aggressive" male.

In summary, I am referring to the whole general area of minority group offenders, we evidently recognize that there are problems involved in their supervision. If we are conscientious officers we have the responsibility of increasing our knowledge through the many means available of minority groups and of using it to illuminate our understanding of individual cases. We also have the responsibility to carry this a step further. Our learning and experience becomes more valuable when it is shared, when it provides a basis for further research in writing, a further contribution to the general pool of knowledge. Ours is a tremendous task but it is, after all, one which we have chosen.